

**PLANNING COMMITTEE – 26 MAY 2016**

**PART 5**

Report of the Head of Planning

**PART 5**

Decisions by County Council and Secretary of State, reported for information

---

- **Item 5.1 – 20 Amber Rise, Sittingbourne**

**APPEAL ALLOWED**

**Observations**

DELEGATED REFUSAL:

The Inspector considered that a 2.5m high fence hard up against an alleyway through the estate (the application site is set higher than the alleyway) would not cause harm to visual amenity or the openness of the estate. He also gave weight to the poor condition of the landscaping at present, which is puzzling and disappointing. Finally, he gave weight to the planting of climbers and shrubs along the very narrow space for planting which would be retained, but failed to impose conditions requiring this to be carried out. This is an omission.

- **Item 5.2 – 1 Connaught Road, Sittingbourne**

**APPEAL ALLOWED**

**Observations**

DELEGATED REFUSAL:

The Inspector (the same as 5.1 above) did not agree with the Council's case that the proposal would harm visual and residential amenity and again gave weight to the poor condition of the site as existing. The Inspector considered that there was no need to require the garage to be used for parking vehicles, but has still removed all PD rights for alterations to the building, together with PD rights for the erection of any other outbuildings at the site. However – the wording of the condition used suggests that this condition can be obviated by the written agreement of the Local Planning Authority. This is not the case.

- **Item 5.3 – 5 The Almhouses, South Road, Faversham**

**TREE PRESERVATION ORDER APPEAL DISMISSED**

**Observations**

DELEGATED REFUSAL:

Full support for the Council's decision.

- **Item 5.4 – 30 Preston Park, Faversham**

**TREE PRESERVATION ORDER APPEAL DISMISSED**

**Observations**

DELEGATED REFUSAL:

Full support for the Council’s decision

- **Item 5.5 – Norton Ash Garden Centre, London Road, Norton**

**APPEAL DISMISSED**

**Observations**

DELEGATED REFUSAL:

A good decision. The Inspector agreed with the Council that despite the lack of a five-year housing land supply and the consequent fact that Local Plan policies relating to the supply of housing are to be considered out-of-date, this site is not an acceptable location for housing development; the proposal overall amounts to development which is not sustainable and as well as not being in accordance with the development plan.

- **Item 5.6 – 1 Manor Cottages, Crockham Lane, Hernhill**

**APPEAL DISMISSED**

**Observations**

DELEGATED REFUSAL:

Full support for the Council’s decision to refuse a very harmful scheme.

- **Item 5.7 – Land adjacent Chandlers Croft, fronting Swale Way, Kemsley**

**APPEAL DISMISSED & ENFORCEMENT NOTICE UPHeld**

**Observations**

COMMITTEE REFUSAL AND ENFORCEMENT APPEAL:

The Inspector considered that the bund, even if planted in the manner proposed under the planning application, gave rise to harm to residential amenity. In addition, although this did not form part of the Council’s case, she formed the view that the bund and fence did not provide appropriate mitigation for residents from traffic noise emanating from the adjacent Northern Relief Road. The bund must now be removed, the area planted as per the approved landscaping scheme, and the wall built, by 9<sup>th</sup> May 2017.